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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/062,875 | 01/31/2002 | Franklin Cockerill | 07039-253001 |

Mark S. Ellinger, Ph.D.
Fish & Richardson P.C., P.A.
Suite 3300
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Minneapolis, MN 55402



CONFIRMATION NO. 2265

FORMALITIES LETTER



OC000000007524810

Date Mailed: 02/25/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

**COPY OF PAPERS
ORIGINALLY FILED**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Pocket No.: 07039-253001

MP #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Franklin Cockerill et al.
Serial No. : 10/062,875
Filed : January 31, 2002
Title : DETECTION OF BORDETELLA

Art Unit : 1623
Examiner : Unknown

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

The following documents relating to this application are enclosed.

1. Response to Notice to File Missing Parts of Application (1 page);
2. Copy of Notice to File Missing Parts (2 pages);
3. Combined Declarations and Powers of Attorney (2 pages);
4. Check in the amount of \$65 for late filing of the Declarations;
5. Preliminary Amendment (2 pages);
6. Verified Statement under 37 CFR §1.821(f) (1 page);
7. Paper copy of Sequence Listing (2 pages);
8. Computer Readable copy of Sequence Listing (1 disk); and
9. Postcard.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

**COPY OF PAPERS
ORIGINALLY FILED**

Date:

April 25, 2002

M. Angela Parsons

M. Angela Parsons, Ph.D.
Reg. No. 44,282

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60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60082719.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 25, 2002

Date of Deposit

Jill Huso

Signature

Jill Huso

Typed or Printed Name of Person Signing Certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Franklin Cockerill et al.
Serial No. : 10/062,875
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Commissioner for Patents
Washington, D.C. 20231

**COPY OF PAPERS
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RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts mailed February 25, 2002 (copy enclosed),
Applicants, as a Small Entity, submit the following:

1. Combined Declarations and Powers of Attorney in compliance with 37 CFR §1.63;
2. A check for \$65 for filing Declaration on a date later than the filing date of the application;
3. Preliminary Amendment (2 pages);
4. Verified Statement under 37 CFR §1.821(f) (1 page);
5. Paper copy of Sequence Listing (2 pages); and
6. Computer Readable copy of Sequence Listing (1 disk).

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

April 25, 2002

M. Angela Parsons

M. Angela Parsons, Ph.D.
Reg. No. 44,282

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April 25, 2002

Date of Deposit

Signature

Jill Huso

Typed or Printed Name of Person Signing Certificate



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Franklin Cockerill et al.
Serial No. : 10/062,875
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Examiner : Unknown

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Judith A. Wasilkus, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: April 17, 2002

Judith A. Wasilkus
Judith A. Wasilkus

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 25, 2002
Date of Deposit

S. H. HUSO
Signature

S. H. HUSO
Typed or Printed Name of Person Signing Certificate